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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,477	08/13/2001	Luu Tran	SUN-P6087	9071
32615	7590	11/21/2005	EXAMINER	
OSHA LIANG L.L.P./SUN 1221 MCKINNEY, SUITE 2800 HOUSTON, TX 77010			BATURAY, ALICIA	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 11/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/929,477

Applicant(s)

TRAN ET AL

Examiner

Alicia Baturay

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 September 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 and 13-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This Office Action is in response to the amendment filed 13 September 2005.
2. Claims 1-11, 13, 16, 23, 25, 28, and 29 were amended.
3. Claim 12 was cancelled.
4. Claims 1-11 and 13-29 are pending in this Office Action.
5. In response to the interview request sent in on 13 September 2005, the examiner placed a call to Aly Dossa on 15 November 2005 and stated that because there had been an interview prior to the filing of the RCE, prosecution would be better served if this interview were given following an Office Action. Applicant's representative is invited to resubmit an interview request as he sees fit.
6. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 13 September 2005 has been entered.

### *Claim Objections*

7. Claim 10 is objected to because of the following informalities: Applicant writes, "the wireless extensible client aware detector is configured *to of* extract." It is thought that Applicant meant to write, "the wireless extensible client aware detector is configured *to* extract." Appropriate correction is required.

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8. Claim 16 is objected to because of the following informalities: Applicant writes, "each of the plurality extensible definition files." It is thought that Applicant meant to write, "each of the plurality *of* extensible definition files." Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1-11, 13-18, 20, and 22-28 are rejected under 35 U.S.C. 102(e) as being unpatentable over Fishman et al. (U.S 6,871,236).

11. With respect to claim 1, Fishman teaches a wireless network environment, comprising:

A plurality of classes of wireless clients (Fishman, Fig. 2, elements 274, 276, 278; col. 8, line 65 – col. 9, line 10), each class of wireless clients having unique identifiers and attributes independent of other classes of wireless clients within the wireless network environment (Fishman, col. 5, lines 49-57); and a wireless client independent wireless server coupled to communicate with the classes of wireless clients to provide a series of services available on the server (Fishman, Fig. 2, element 250; col. 5, lines 58-66), the classes of wireless clients issuing service requests to the wireless server via established communication links and

protocols within the network (Fishman, col. 9, lines 41-52); where one of the series of services comprises automatic client type detection logic configured to detect a particular class of a wireless client from the plurality of classes of wireless clients using extensible parameters and default profiles, where the extensible parameters are associated with the default profiles, where each default profile defines one of the plurality of classes of wireless clients (Fishman, col. 8, line 65 – col. 9, line 10), and where the extensible parameters comprise at least one selected from the group consisting of a type of the browser executing on the client, a type of operating system executing on the wireless client, a version of the browser executing on the wireless client, and a bandwidth of the wireless client (Fishman, col. 9, lines 30-41).

12. With respect to claim 2, Fishman teaches the invention described in claim 1, including the wireless network environment where the automatic client type detection logic is configured to automatically detect the extensible parameters from service requests issued to the wireless server from the wireless client (Fishman, col. 8, line 65 – col. 9, line 10).
13. With respect to claim 3, Fishman teaches the invention described in claim 2, including the wireless network environment where the wireless server further includes a wireless client data storage logic coupled to the automatic client type detection logic to store client data objects which uniquely define each wireless client within the each of the plurality classes of clients, where the client data objects comprises the extensible parameters (Fishman, Fig. 2, element 252; col. 8, line 65 – col. 9, line 10).

14. With respect to claim 4, Fishman teaches the invention described in claim 2, including the wireless network environment where the automatic client type detection logic is configured to detect client specific attributes of the wireless client seeking services from the wireless server by examining the hypertext transport protocol header from the service requests, where the client specific attribute comprises the extensible parameters (Fishman, col. 8, line 65 – col. 9, line 10).
15. With respect to claim 5, Fishman teaches the invention described in claim 2, including the wireless network environment where the extensible parameters are dynamically extracted by the automatic client type detection logic (Fishman, col. 8, line 65 – col. 9, line 10).
16. With respect to claim 6, Fishman teaches the invention described in claim 4, including the wireless network environment where the automatic client type detection logic is configured to dynamically gather client specific information as the client issues service requests to the wireless server, where the client specific information comprises the extensible parameters (Fishman, col. 8, line 65 – col. 9, line 10).
17. With respect to claim 7, Fishman teaches the invention described in claim 6, including the wireless network environment where the automatic client type detection logic extracts client specific attributes from the wireless client's user-agent Hyper Text Transport Protocol header from the service request issued to the wireless server (Fishman, col. 8, line 65 – col. 9, line 10).

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18. With respect to claim 8, Fishman teaches the invention described in claim 7, including the wireless network environment where the client detection logic extracts client specific attributes from headers other than the user-agent header in the wireless client's Hyper Text Transport Protocol request (Fishman, col. 8, line 65 – col. 9, line 10).

19. With respect to claim 9, Fishman teaches a wireless server for handling a plurality of wireless service requests from a plurality of wireless clients each having unique identifying, the wireless server comprising:

A wireless extensible client aware detector comprising default profiles and extensible parameters, where each of the default profiles defines one of a plurality of classes of the plurality of wireless clients where the extensible parameters and the default parameters are used to determine a class of each of the plurality of wireless clients, where the extensible parameters are associated with the default profiles (Fishman, col. 8, line 65 – col. 9, line 10); a wireless client data storage coupled to the extensible wireless client aware detector (Fishman, Fig. 2, element 252; col. 8, line 65 – col. 9, line 10); and a wireless server session service coupled to the wireless extensible client aware detector, where the extensible parameters comprise at least one selected from the group consisting of a type of the browser executing on the one of the plurality of wireless clients, a type of operating system executing on the one of the plurality of wireless clients, a version number of the browser executing on the one of the plurality of wireless clients, and a bandwidth of the one of the plurality of the wireless client (Fishman, col. 9, lines 30-41).

20. With respect to claim 10, Fishman teaches the invention described in claim 9, including the wireless server where the wireless extensible client aware detector is configured to extract the extensible parameters (Fishman, col. 8, line 65 – col. 9, line 10).
21. With respect to claim 11, Fishman teaches the invention described in claim 10, including the wireless server where the wireless extensible client aware detector comprises logic to differentiate default profiles associated with one of the plurality of classes of wireless clients and associated extensible parameters dynamically extracted at client run-time (Fishman, col. 8, line 65 – col. 9, line 10).
22. With respect to claim 13, Fishman teaches the invention described in claim 11, including the wireless server where the wireless extensible client aware detector comprises client request deciphering logic for parsing client service request headers to determine whether data pertaining to a specific client requesting service from the wireless server is already available in the wireless server or not, where the data comprises the extensible parameters (Fishman, col. 12, lines 15-27).
23. With respect to claim 14, Fishman teaches the invention described in claim 13, including the wireless server where the client aware detector further comprises client data extensible logic for dynamically extracting clientType information which is not already stored in the wireless server from the client request headers (Fishman, col. 8, line 65 – col. 9, line 10).



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24. With respect to claim 15, Fishman teaches the invention described in claim 14, including the wireless server where the clientType information defines a logical group of clients uniquely identified by an extensible list of properties common to the group (Fishman, col. 12, lines 1-14).

25. With respect to claim 16, Fishman teaches a wireless server system, comprising:

A plurality of extensible definition files, each of the plurality of extensible definition files used to detect a class of wireless clients that communicate with the wireless server system (Fishman, col. 5, lines 49-57); and an automatic detection system, coupled to access the plurality of extensible definition files, for applying a particular extensible definition file to a particular wireless client for automatically detecting the class of the particular wireless client, where the particular definition file comprises information found within a service request of the wireless client that allows the detecting thereof, where each of the plurality of extensible definition files comprises a default profile and extensible parameters (Fishman, col. 8, line 65 – col. 9, line 10), where the extensible parameters comprises at least one selected from the group consisting of a type of the browser executing on the wireless client, a type of operating system executing on the wireless client, a version of the browser executing on the wireless clients, and a bandwidth of the wireless client (Fishman, col. 9, lines 30-41).

26. With respect to claim 17, Fishman teaches the invention described in claim 16, including the wireless server system where the automatic detection system is rendered capable of

recognizing a new client class by the addition of a corresponding new definition file to the plurality of extensible definition files (Fishman, col. 4, lines 27-33).

27. With respect to claim 18, Fishman teaches the invention described in claim 16, including the wireless server system where the information found within the service request includes information found within an agent header of the service request (Fishman, col. 8, line 65 – col. 9, line 10).

28. With respect to claim 20, Fishman teaches the invention described in claim 16, including the wireless server system where the information found within the service request comprises communication bandwidth of the service request (Fishman, col. 9, lines 30-41).

29. With respect to claim 22, Fishman teaches the invention described in claim 21, including the wireless server system where the information found within the service request comprises communication bandwidth of the service request (Fishman, col. 9, lines 30-41).

30. With respect to claim 23, Fishman teaches a client aware method of detecting wireless clients within a wireless network attempting to connect to a wireless server, comprising the steps of:

Receiving client service requests from a wireless client connecting to the wireless server (Fishman, col. 9, lines 41-52); and parsing header information in the wireless client service requests to automatically extract client specific information and comparing the client specific

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information to extensible parameters and default profiles in order to detect a class of the wireless client attempting to connect to the wireless server, where the extensible parameters are associated with the default profiles, each default profile defining one of a plurality of classes of wireless clients (Fishman, col. 8, line 65 – col. 9, line 10), where the extensible parameters comprise at least one selected from the group consisting of a type of the browser executing on the wireless client, a type of operating system executing on the wireless client, a version of the browser executing on the wireless clients, and a bandwidth of the wireless client (Fishman, col. 9, lines 30-41).

31. With respect to claim 24, Fishman teaches the invention described in claim 23, including the method where the information extracted from the wireless client service requests may be information common to a group of clients within the plurality of wireless clients (Fishman, col. 12, lines 1-14).
32. With respect to claim 25, Fishman teaches the invention described in claim 23, including the method where the extensible parameters are dynamically extracted from the wireless clients service requests (Fishman, col. 8, line 65 – col. 9, line 10).
33. With respect to claim 26, Fishman teaches the invention described in claim 24, including the method where user-agent header information is parsed to detect the characteristics of the wireless client connecting to the wireless server (Fishman, col. 8, line 65 – col. 9, line 10).

34. With respect to claim 27, Fishman teaches the invention described in claim 24, including the method where header information other than user-agent headers is extracted from the wireless client service request to detect the wireless client connecting to the wireless server (Fishman, col. 8, line 65 – col. 9, line 10).

35. With respect to claim 28, Fishman teaches the invention described in claim 23, including the method where the extensible parameters further comprise definitions found in header information of a client's browser (Fishman, col. 8, line 65 – col. 9, line 10).

***Claim Rejections - 35 USC § 103***

36. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

37. Claims 19, 21, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fishman and further in view of Hashimoto (U.S. 6,243,662).

Fishman teaches the invention substantially as claimed including methods, systems, and computer program products for caching content that has been customized based on one or more operating characteristics of a mobile client. A mobile gateway receives content from a

content source and customizes the content using transforms assigned to each mobile client.

Transforms account for differences between mobile clients (Fishman, see Abstract).

38. With respect to claim 19, Fishman teaches the invention described in claim 16, including automatically detecting the class of the particular wireless client, where the particular definition file comprises information found within a service request of the wireless client that allows the detecting thereof, where each of the plurality of extensible definition files comprises a default profile and extensible parameters (Fishman, col. 8, line 65 – col. 9, line 10).

Fishman does not explicitly teach the use of time as an element of data within a service request.

However, Hashimoto teaches the wireless server system where the information found within the service request comprises the time of day of the service request (Hashimoto, Fig. 3; col. 7, lines 51-60).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Fishman in view of Hashimoto in order to enable the use of time as an element of data within a service request. One would be motivated to do so in order to facilitate retrieval of data.

39. With respect to claim 21, Fishman teaches the invention described in claim 18, including the wireless server system where the information found within the service request includes

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information found within an agent header of the service request (Fishman, col. 8, line 65 – col. 9, line 10).

Fishman does not explicitly teach the use of time as an element of data within a service request.

However, Hashimoto teaches the wireless server system where the information found within the service request further comprises the time and date of the service request (Hashimoto, Fig. 3; col. 7, lines 51-60).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Fishman in view of Hashimoto in order to enable the use of time as an element of data within a service request. One would be motivated to do so in order to facilitate retrieval of data.

40. With respect to claim 29, Fishman teaches the invention described in claim 28, the method where the extensible parameters further comprise definitions found in header information of a client's browser (Fishman, col. 8, line 65 – col. 9, line 10).

Fishman does not explicitly teach the use of time as an element of data within a service request.

However, Hashimoto teaches the method where the extensible parameters further comprise definitions of time of day requests (Hashimoto, Fig. 3; col. 7, lines 51-60).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Fishman in view of Hashimoto in order to enable the use of time as an

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element of data within a service request. One would be motivated to do so in order to facilitate retrieval of data.

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*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Baturay whose telephone number is (571) 272-3981. The examiner can normally be reached at 7:30am - 5pm, Monday - Thursday, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alicia Baturay  
November 15, 2005

  
SALEH NAJJAR  
SUPERVISORY PATENT EXAMINER